

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 2640 – SB 2745

February 8, 2010

SUMMARY OF BILL: Creates new provisions for eyewitness identification in lineups, including requiring an independent administrator to oversee the lineups and requiring video or audio recordings of the lineup if practical.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures – \$3,800/One-Time
Not Significant/Recurring**

**Increase Local Expenditures – Exceeds \$100,000/One-Time
Exceeds \$200,000/Recurring***

Assumptions:

- According to the Department of Commerce and Insurance, the Peace Officers Standards and Training Commission would hold two meetings to determine the criteria and guidelines for lineups under this legislation. Travel costs are estimated to be \$1,912 per meeting. One-time state expenditures will increase \$3,824.
- According to the Tennessee Bureau of Investigation, any cost to the Bureau can be accommodated within existing resources without an increased appropriation or reduced reversion.
- Local law enforcement agencies will experience a one-time increase in expenditures estimated to exceed \$100,000 for purchasing video or audio equipment to record lineups.
- The independent administrator will be an officer working another shift who is not participating in the investigation of the criminal offense. Local law enforcement agencies will experience a recurring increase in expenditures for over-time payments to the independent administrator. These recurring expenditures are expected to exceed \$100,000.
- Local governments will experience an increase in costs for supplies for recordings and for storing recordings. These recurring expenditures are expected to exceed \$100,000.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director

/kmc